

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVIS JOHN BATEMAN,

Defendant.

CASE NO. CR19-0133-JCC

ORDER

This matter comes before the Court on the Government's unopposed motion to continue trial (Dkt. No. 28). On April 13, 2020, Chief Judge Ricardo S. Martinez issued General Order No. 07-20 to address the continuing impacts of COVID-19 on the Western District of Washington's operations. The order continued all criminal trial dates scheduled to occur before July 1, 2020. W.D. Wash., General Order No. 07-20 at 2 (April 13, 2020). The order further explained that

due to the current inability to obtain an adequate spectrum of jurors and the effect of the . . . public health situation on the availability of witnesses, counsel and Court staff to be present in the courtroom, the time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act, as the Court finds that the ends of justice served by ordering the continuances outweigh the best interests of the public and any defendant's right to a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A).

Id. Citing General Order No. 07-20, the Government asks the Court to continue the May 4, 2020 trial date in this case to July 13, 2020. (Dkt. No. 28 at 2.) Having thoroughly considered the

1 motion and General Order No. 07-20, the Court hereby FINDS as follows:

- 2 1. For the reasons set forth in the Government's motion and General Order No. 07-20, the
3 ends of justice served by granting a continuance outweigh the best interests of the public
4 and Defendant in a speedy trial, 18 U.S.C. § 3161(h)(7)(A); and
5 2. Failure to grant a continuance would likely make trial impossible, result in a miscarriage
6 of justice, and deny counsel for Defendant and the Government the reasonable time
7 necessary for effective preparation, taking into account the exercise of due diligence, 18
8 U.S.C. § 3161(h)(7)(B)(i), (B)(iv).

9 For the foregoing reasons, the Court GRANTS the Government's unopposed motion to
10 continue trial (Dkt. No. 28) and CONTINUES the trial date in this matter to July 13, 2020, at
11 9:30 a.m. The Court further ORDERS that the time between the date of this order and the new
12 trial date is excludable time under the Speedy Trial Act, pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
13 3161(h)(7)(B)(ii), and 3161(h)(7)(B)(iv).

14 DATED this 28th day of April 2020.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE